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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STELLA DIAM. INC.

Civil Action # 25-cv-1785 (JGK)

Plaintiff,

-against-

COMPLAINT

J.P. MORGAN CHASE BANK, N.A.,

Defendant.

Plaintiff, Stella Diam. Inc. (“Plaintiff” or “Stella”), by its attorneys,
Kinzler Law Group, PLLC, complaining of the defendant, J.P. Morgan
Chase Bank, N.A., (“Defendant” or “Chase”) alleges as follows:

NATURE OF ACTION

1. This is an action for, inter alia, money damages, resulting from Defendant’s conversation and misappropriation of funds belonging to plaintiff. Specifically, on or about September 20, 2024, after first charging back and deducting an incoming wire transfer received into Plaintiff’s Chase account in the approximate amount of \$64,941.00, Defendant then

unilaterally closed Plaintiff's Chase, to wit, Account number 509981236 and upon closing Plaintiff's bank account, Defendant retain and continues to retain and hold the remaining balance of the funds in Plaintiff's bank in the approximate sum of \$85,613.00. By reason thereof, Defendant has converted and misappropriated funds belonging to Plaintiff in the approximate total sum of \$150,554.00.

PARTIES

2. Plaintiff is a corporation formed and existing under the laws of the State of New York, and maintains its offices and place of business at 580 Fifth Avenue, New York, New York 10036.

3. Upon information and belief, Defendant is a national banking association whose main office is located in the State of Ohio. Defendant also maintains offices and conducts business in the State of New York.

JURISDICTION AND VENUE

4. Plaintiff commenced this action by the filing and Service upon the Defendant of a Summons in an action commenced in the New York State Supreme Court, New York County under Index No. 151304/2025.

5. Defendant thereafter served a Notice of Removal, thereby removing this action pursuant to U.S.C. §§1132, 1441 and 1446 to the United States District Court for the Southern District of New York.

Defendant sought Removal to the District Court based upon the fact that Defendant's main office is located in Ohio.

6. Venue is proper pursuant to 28 U.S.C. § 1391 based upon the fact that the Defendant resides, maintains offices and routinely conducts substantial business in the State of New York, and also based upon the fact that a substantial part of the events or omissions giving rise to the Plaintiff's claim occurred in this judicial district and/or that the property which is the subject of this action is situated in this judicial district.

FACTUAL ALLEGATIONS

7. Plaintiff incorporates all prior paragraphs as set forth herein.

8. Sometime prior to September 20, 2024, visited a New York City branch of the Defendant, where Plaintiff proceeded to open and to thereafter maintain its business checking account with Defendant, Chase, to wit, Checking Account number 509981236 (the "Account").

9. On or about September 20, 2024 and at all times relevant to the claims herein, Defendant maintained a balance in its Account in the approximate amount of \$150,554.00 (the "Funds").

10. At all relevant times, Defendant was and still is the owner of the funds on deposit in the Account and was and still is entitled to immediate possession of the said funds.

11. On or about or sometime after September 20, 2024, Defendant, unilaterally, and without explanation, closed Plaintiff's Account, withdrew the Funds which were on deposit in Plaintiff's Account.

12. Since on or about September 20, 2024, Defendant has at all times thereafter retained possession and control over Plaintiff's Funds.

13. Plaintiff has since made repeated demands upon Defendant for the release and return to Plaintiff of Plaintiff's Funds, however Defendant has failed and refused and continues to fail and refuse to release and/or return Plaintiff's Funds.

14. By retaining Plaintiff's Funds and by failing and refusing to return Plaintiff's Funds, Defendant has unlawfully converted and misappropriated Plaintiff's Funds, this to Plaintiff's damage in the amount of approximately \$150,554.00.

COUNT I

CONVERSION

15. Plaintiff incorporates all prior paragraphs as though set forth herein.

16. Defendant intentionally and without authority, assumed or exercised dominion and/or control over Funds belonging to Plaintiff, thereby interfering with Plaintiff's right of ownership and possession of the Funds.

17. As a result of Defendant's conduct, Plaintiff has been damaged in an amount to be determined at trial, and in any event no less than \$150,554.00.

COUNT II

UNJUST ENRICHMENT

18. Plaintiff incorporates all prior paragraphs as though set forth herein.

19. Defendant has been enriched at Plaintiff's expense, and it is against equity and good conscience to permit Defendant to retain that with which it has been enriched.

20. As a result of Defendant's conduct, Plaintiff has been damaged in an amount to be determined at trial, and in any event no less than \$150,554.00.

WHEREFORE, respectfully demands (i) judgment against Defendant, J.P. Morgan Chase Bank, N.A. for damages on the First Count in an amount to be determined at trial, and in any event no less than \$150,554.00; (ii) judgment against Defendant, J.P. Morgan Chase Bank, N.A. on the Second Count in an amount to be determined at trial, and in any event no less than \$150,554.00; (iii) judgment against Defendant, J.P. Morgan Chase Bank, N.A. for Plaintiff's attorneys fees, statutory interest

and the costs and disbursements of this action; and (iv) such other and further relief as the Court deems just, proper and equitable.

Dated: May 30, 2025

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Attorneys for Plaintiff

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